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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JULIO ALVARADO, an individual,
Plaintiff,

vs.

WILLIAM BRATTON, et al.,
Defendants.

Case No. CV06-7812 PA (RCx)

DISCOVERY MATTER

**PLAINTIFF'S NOTICE OF
MOTION TO COMPEL
FURTHER RESPONSES TO
REQUESTS FOR
PRODUCTION;
DECLARATION OF
SAMANTHA KOERNER;
REQUEST FOR SANCTIONS**

Date: 10/21/09
Time: 9:30 a.m.
Crtm: 23 (Spring St.)

DCO: 11/9/09
Trial date: 1/19/10
Pretrial date: 12/18/09

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on Wednesday, October 21, 2009, in Courtroom 23 of the above-entitled Court, located at 312 North Spring Street, Los Angeles, California, at 9:30 a.m., or as soon thereafter as counsel may be heard, plaintiff will move the Court for an order compelling defendant City of Los Angeles to further respond without


1 objections to Plaintiff's Request for Production, Set No. 1, Request Nos. 28 through 31.

2 PLEASE TAKE FURTHER NOTICE that at the above time and place, plaintiff
3 will also move the Court to award plaintiff \$2,235.00 in reasonable attorneys fees, to be
4 paid by defendant City of Los Angeles and its counsel of record Deputy City Attorney
5 Surekha A. Pessis.

6
7 The motion to compel further responses and to award attorneys fees shall be
8 pursuant to Rule 37(a)(2), (3), (4) & (5), Federal Rules of Civil Procedure, and shall be
9 based upon this notice, the attached declaration of Samantha Koerner, the parties'
10 separately filed Local Rule 37-2 Stipulation, and the record and files of this case.

11 DATED: September 28, 2009

12 **ROBERT MANN**
13 **DONALD W. COOK**
Attorneys for Plaintiff

14
15 By 
16 Donald W. Cook

DECLARATION OF SAMANTHA KOERNER

I, SAMANTHA KOERNER, declare:

1. I am an associate attorney employed in the offices of Robert Mann & Donald W. Cook, counsel for plaintiff. I have been employed in their offices for about 8 years.

QUALIFICATIONS

2. I received a Bachelor of Arts Degree from the University of California, Berkeley in 1991, and a Juris Doctor Degree from Loyola Law School, Los Angeles, in 1994. I have been admitted to practice law in the State of California since 1994.

3. Before entering law school, beginning in 1989, I worked during my summer and winter breaks for Thomas E. Beck and Associates. He specialized in police misconduct and criminal defense cases. It was there I first became exposed to civil rights litigation. During law school, I continued clerking for Mr. Beck, and also worked as a law clerk in 1993 and 1994 for Greene, Broillet, Taylor & Wheeler. Also during law school I did an internship at the Western Law Center for Disability Rights, located on the Loyola Campus. There I worked on federal court cases involving civil rights violations of people suffering from various disabilities.

4. Upon graduating from law school, I was re-hired by Thomas E. Beck. I practiced law with Mr. Beck from 1994 to 2001. That practice was approximately 75% civil rights/police misconduct civil cases, and 25% criminal defense cases in which our clients were accused of interfering with or committing batteries upon police officers. In October, 2001, I began working for Robert Mann and Donald W. Cook.


5. I have been awarded fees for my services in excess of \$300/hr.

AMOUNT OF SANCTIONS REQUESTED

6. In meeting with defense counsel pursuant to Local Rule 37-1, and in assisting in the preparation of the Local Rule 37-2 Stipulation, I have

1 spent 14.9 hours on this aspect of the case. Using the hourly rate the Court used in its
2 May 21, 2009 discovery order (document 95) I request \$2,235.00 in reasonable fees
3 (14.9hrs x \$300/hr) be awarded plaintiff and as against defendant City of Los Angeles
4 and its attorneys Surekha A. Pessis.

5 I declare under penalty of perjury that the foregoing is true and correct. Executed
6 September 24, 2009, at Los Angeles, California.
7

8 
9 Samantha Koerner